



**IT IS ORDERED as set forth below:**

**Date: May 22, 2014**

*Mary Grace Diehl*

Mary Grace Diehl  
U.S. Bankruptcy Court Judge

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION**

IN RE:

EDWARD BYRON SLAUGHTER,

Debtor.

CHAPTER 11

CASE NO. 13-42906-MGD

(Jointly Administered with Case Nos. 13-42908-MGD, 13-42909-MGD and 13-42910-MGD)

KING COLE CONDOMINIUM  
ASSOCIATION, INC.,

Movant,

v.

EDWARD BYRON SLAUGHTER,

Respondent.

CONTESTED MATTER

**ORDER ON MOTION FOR RELIEF FROM AUTOMATIC STAY**

**THIS MATTER** comes before the Court on the Motion for Relief from Automatic Stay (“Motion”) filed by King Cole Condominium Association, Inc. ("King Cole"). In its Motion,

King Cole asserts an enforceable security interest in Debtor's condominium and two boat slips located at 900 Bay Drive, Miami Beach, Florida 33141 ("Property"), more specifically described as follows:

Condominium Parcel 719, in ARLEN KING COLE CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 8565, Page 940, together with any and all exhibits thereto and amendments thereof, in the Public Records of Miami-Dade County, Florida.

a/k/a: 900 Bay Drive #719, Miami Beach, FL 33141

AND

DOCK SLIPS 1 and 2, of ARLEN KING COLE CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 8565, Page 940, together with any and all exhibits thereto and amendments thereof, in the Public Records of Miami-Dade County, Florida.

a/k/a: 900 Bay Drive #DS01, Miami Beach, FL 33141;

that it is not adequately protected; that there is no equity in the Property and that the Property is not necessary to an effective reorganization. On these grounds, King Cole asserts that it is entitled to relief from stay.

**IT APPEARING** that the Debtor and Debtor's attorney have been properly served, that Debtor and Debtor's attorney do not oppose entry of this Order, that King Cole is not adequately protected, and that good cause has otherwise been shown for the relief sought herein;

**IT IS THEREFORE ORDERED** that the Motion is **GRANTED**; and

**IT IS FURTHER ORDERED** that King Cole may take the necessary steps to exercise its rights and remedies with respect to the Property under applicable non-bankruptcy law, including conducting a foreclosure sale of the Property; and

**IT IS FURTHER ORDERED** that King Cole retains the right to assert claims in this case, including an unsecured claim for any deficiency remaining after foreclosure of the Property.

**(END OF DOCUMENT)**

**Prepared and presented by:**

Cohen Pollock Merlin & Small, P.C.  
Attorneys for King Cole Condominium Association, Inc.

By: /s/ Garrett H. Nye  
Garrett H. Nye  
Georgia Bar No. 387919

3350 Riverwood Parkway, Suite 1600  
Atlanta, Georgia 30339

**No opposition:**

Paul Reece Marr, P.C.  
Attorneys for Edward Byron Slaughter

By: /s/ Paul Reece Marr (Signed with express permission by Garrett H. Nye)  
Paul Reece Marr  
Georgia Bar No. 471230

300 Galleria Parkway, N.W.  
Suite 960  
Atlanta, GA 30339

**Distribution List**

Bruce Z. Walker  
Garrett H. Nye  
Cohen Pollock Merlin & Small, P.C.  
3350 Riverwood Pkwy.  
Suite 1600  
Atlanta, GA 30339

Paul Reece Marr  
Paul Reece Marr, P.C.  
300 Galleria Parkway, N.W.  
Suite 960  
Atlanta, GA 30339

Edward Byron Slaughter  
330 West Avenue  
Cedartown, GA 30125

Office of the United States Trustee  
362 Richard Russell Building  
75 Spring Street, SW  
Atlanta, GA 30303